

SHAMROCK CARTAGE, INC.
Case 09-CA-219396

Confidential Witness Affidavit

I, Shane Q. Smith, being first duly sworn upon my oath, state as follows:

I have been given assurances by an agent of the National Labor Relations Board (NLRB) that this Confidential Witness Affidavit will be considered a confidential law enforcement record by the NLRB and will not be disclosed unless it becomes necessary to produce this Confidential Witness Affidavit in connection with a formal proceeding.

I reside at 64420 State Route 56, Creola, Ohio 45622

My mailing address is P.O. Box 27602, Columbus, Ohio 43227

My cell phone number (including area code) is 614/937-4447

My e-mail address is shanesmith2448@yahoo.com

I was employed by Shamrock Cartage, Inc.

located at 2140 Maxim Drive, Rockdale, IL 60436

Attorney Clement Tsao is present on the phone while I give this statement.

I gave an affidavit on May 7, 2018 in this case. This affidavit is supplementing that statement.

On page 8 of the affidavit I gave on May 7, 2018, I discuss the meeting I attended on April 11, 2018 about my suspension. I state that during this meeting, I told Michael Holmes and Jim Allen (who was on the phone) why Brian Williamson does not like me and why I think he wanted to protect his job. Upon further reflection, I did not mention this to Michael Holmes and Jim Allen during this meeting. I recall that Ted Beardsley had told me to not mention why I

Privacy Act Statement

The NLRB is asking you for the information on this form on the authority of the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the NLRB in processing representation and/or unfair labor practice cases and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). Additional information about these uses is available at the NLRB website, www.nlrb.gov. Providing this information to the NLRB is voluntary. However, if you do not provide the information, the NLRB may refuse to continue processing an unfair labor practice or representation case, or may issue you a subpoena and seek enforcement of the subpoena in federal court.

SS

Case 09-CA-219396

June 12, 2018

believed that Williamson had lied about not giving me permission, so I did not mention this during the meeting on April 11.

I attended both of the NLRB notice readings. During one of the notice readings, I cannot recall which one, I was with Ted Beardsley when Ted pulled Michael Holmes aside. During this conversation, with just Ted, Michael and myself present, I told Michael what I state on page 8 of my first affidavit about why I believed that Williamson said he did not give me permission to contact PINC.

When I state on page 8 of my affidavit that I said if I can't leave early, they're not leaving, I made this comment to myself; I did not say it to Jason Caccamo or Brian Williamson. What happened was there were a handful of people on first shift who were rotating leaving early, but it wasn't being done fairly because some people were getting to leave early more often than others, including myself. On three occasions, Brian Williamson, before he became manager, asked me if it was ok with me that I stayed late and he left early for the day. All three times I told Brian that was not ok, if I had to stay, he had to stay too. So Brian was stuck working with me until the first person on the next shift showed up.

I did not tell Brian Williamson during our conversation on April 9, 2018 when he suspended me that when I get back, he's done. I did not yell at him or threaten him. I only stated to him what I state in my affidavit dated May 7, 2018.

I did not yell and scream at Lisa Clarkson after I was fired from Shamrock in August 2017. I did not tell her that I would pull her out of her truck when I got my job back. After I was fired in August 2017, I went up to Lisa, said hi, she said hey, and I said, I don't know if you heard. Lisa said, heard what? I said I got pulled over to Jason's truck, I got fired, I'll be

Case 09-CA-219396

June 12, 2018

contacting the Union, I'll see you when I get back. I did not threaten Lisa. I did not yell at her or raise my voice when talking to her.

I recall talking to a new, older fellow, with Cody (Johnathan Dunn) and talking about using smart phones at work. Cody and I walked over to the man and introduced ourselves and asked if he was a new hire. The man said yes. I asked him if Shamrock told him that there are some trucks that are not working and he'd need a smart phone when they hired him. I did not tell him that he needed a smart phone to work at Shamrock. I do not recall a conversation with another newly hired employee about not taking a lunch break.

Shamrock does not have a policy, written or verbal, that prevents employees from contacting PINC. As I mention in my May 7, 2018 statement, I obtained permission from Brian Williamson before contacting PINC on April 9. I had never contacted PINC before this.

I am being provided a copy of this Confidential Witness Affidavit for my review. I understand that this affidavit is a confidential law enforcement record and should not be shown to any person other than my attorney or other person representing me in this proceeding.

I have read this Confidential Witness Affidavit consisting of 3 pages, including this page, I fully understand it, and I state under penalty of perjury that it is true and correct. However, if after reviewing this affidavit again, I remember anything else that is important or I wish to make any changes, I will immediately notify the Board agent.

Date: June 27, 2018 Signature: Shane Smith
Shane Smith

Signed and sworn to before me by telephone on June 12, 2018

JAMIE L. IRELAND
Board Agent
National Labor Relations Board